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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

DOUG LITTLE, CHAIRMAN BOB BURNS TOM FORESE BOB STUMP ANDY TOBIN

IN THE MATTER OF THE
APPLICATION OF ARIZONA PUBLIC
SERVICE COMPANY FOR A HEARING
TO DETERMINE THE FAIR VALUE OF
THE UTILITY PROPERTY OF THE
COMPANY FOR RATEMAKING
PURPOSES, TO FIX A JUST AND
REASONABLE RATE OF RETURN
THEREON, TO APPROVE RATE
SCHEDULES DESIGNED TO DEVELOP
SUCH RETURN.

DOCKET # E-01345A-16-0036

Arizona Corporation Commission DOCKETED

OCJ 26 2016

DOCKETED BY

IN THE MATTER OF FUEL AND PURCHASED POWER PROCUREMENT AUDITS FOR ARIZONA PUBLIC SERVICE COMPANY

DOCKET # E-01345A-16-0123

REPLY TO CHAIRMAN LITTLE'S OCTOBER 18, 2016 CORRESPONDENCE AND CALL FOR HIS RECUSAL

Warren Woodward, Intervenor in the above proceeding, hereby replies to

Chairman Doug Little's October 18, 2016 Correspondence ("Correspondence"), and in so doing, reiterates that Chairman Little ("Little") needs to recuse himself from the proceeding for the reason that Little, by promoting the interests of the Consumer Energy Alliance (and by logical extension the interests of APS), is biased in favor of large-scale utility solar and opposed to distributed rooftop solar.

In his Correspondence, Little asserted that had he not sent the document to all parties on the dockets' the Service List then he may have been in violation of *ex parte*. That is utter nonsense for two reasons: 1) CEA is not a party to these proceedings. Little may as well consider his junk mail to be *ex parte*. 2) If Little was truly concerned about *ex parte* then all he needed to do was to docket the CEA propaganda. There was no need to promote it by sending it to all on the service list.

In his Correspondence, Little maintained that by promoting the CEA propaganda he was "consistent with long standing Commission practice." According to former Corporation Commission personnel that I know personally, as well as Corporation Commission dockets that this Intervenor has been involved in personally, Little's assertion is just more nonsense. What Little did in promoting the CEA's corporate agenda is *not* "consistent with long standing Commission practice."

Little topped off his Correspondence by concluding with feigned innocence. "I cannot control what documents are delivered to me," wrote Little. No, Little cannot control what documents are delivered to him but he can totally control what he promotes

to the Service List.

It is quite obvious to this Intervenor that Little has attempted to rationalize his biased behavior, his lack of impartiality, by inventing stories about ex parte and "long standing Commission practice," and by pretending to be a victim of circumstance. Little needs to recuse himself from the APS rate case in order to avoid a later legal challenge to the Corporation Commission's decision in that case.

RESPECTFULLY SUBMITTED this 24th day of October, 2016.

Machvara

By

Warren Woodward

200 Sierra Road

Sedona, Arizona 86336

Original and 13 copies of the foregoing mailed on this 24th day of October, 2016 to:

Arizona Corporation Commission Docket Control 1200 West Washington Street Phoenix, Arizona 85007

Copies of the foregoing mailed/e-mailed this 24th day of October, 2016 to:

Service List